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Glenn J. Ellis; Attorney for Appellant.

Unknown.

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STATE OF UTAH

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DOCKET NO. 900172 R. PAUL VAN DAM - ATTORNEY GENERAL

236 STATE CAPITOL • SALT LAKE CITY, UTAH 84114 • TELEPHONE 801 538 1015 • FAX NO 801 538 1121

JOSEPH E TESCH
CHIEF DEPUTY ATTORNEY GENERAL

May 4, 1990

FILED

MAY 4 1990

Clerk, Supreme Court, Utah

Geoffrey J. Butler
Clerk of the Court
Utah Supreme Court
332 State Capitol
Salt Lake City, Utah 84114

Re: State v. Ellis, Case No. 900172

Dear Mr. Butler:

Pursuant to rule 50(d), Utah Rules of Appellate Procedure, the State of Utah, respondent in the above-referenced case, waives the right to file a brief in opposition to the petition for writ of certiorari. The petition does not appear to present any grounds for review under rule 46, Utah Rules of Appellate Procedure.

Sincerely,

David B. Thompson

DAVID B. THOMPSON
Assistant Attorney General
Chief, Criminal Appeals Division

DBT:bks

cc: Glen J. Ellis, Attorney for Appellant